

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Weltzin et al.	Confirmation No.:	1402
Serial No.:	10/826,680	Art Unit:	1648
Filed:	April 16, 2004	Examiner:	Stuart Snyder
Patent No.:	7,645,456	Issued:	January 12, 2010
Customer No.:	21559		
Title:	Vaccinia Virus Strains		

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
IN VIEW OF *WYETH**

Patentee hereby requests recalculation of the Patent Term Adjustment (PTA) under 35 U.S.C. § 154(b) indicated on the above-captioned patent. The patentee's sole basis for requesting the recalculation is the United States Patent and Trademark Office's Pre-*Wyeth* interpretation of 35 U.S.C. § 154(b)(2)(A).

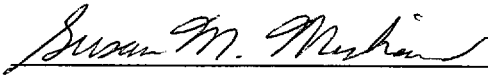
This request is being submitted within 180 days of the date on which the patent was granted.

**Wyeth v. Kappos*, No. 2009-1120 (Fed. Cir., Jan 7, 2010)

Patentees submit that no fee for this request is due. If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: February 11, 2010



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